

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

RONALD RAY POLLARD,)	
)	
Petitioner,)	
)	
vs.)	CIVIL NO. 10-cv-143-DRH
)	
W. A. SHERROD,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

HERNDON, Chief Judge:

The Court has, *sua sponte*, reconsidered its recent summary dismissal of this action and finds that the Government should be required to respond to this habeas corpus petition.

IT IS THEREFORE ORDERED that the order (Doc. 5) and judgment (Doc. 6) entered in this action are **VACATED** and held for naught.

IT IS FURTHER ORDERED that Respondent shall, within twenty-three (23) days of receipt of this application for Writ of Habeas Corpus, answer and show cause why the writ should not issue. Service upon the United States Attorney for the Southern District of Illinois, 750 Missouri Avenue, East St. Louis, Illinois, shall constitute sufficient service.

IT IS FURTHER ORDERED that pursuant to Local Rule 72.1(a)(2), this cause is referred to a United States Magistrate Judge for further pre-trial proceedings.

IT IS FURTHER ORDERED that this entire matter be referred to a United States Magistrate Judge for disposition, as contemplated by Local Rule 72.2(b)(2) and 28 U.S.C. § 636(c), *should all the parties consent to such a referral.*

Petitioner is **ADVISED** of his continuing obligation to keep the Clerk and each opposing

party informed of any change in his whereabouts during the pendency of this action. This notification shall be done in writing and not later than seven (7) days after a transfer or other change in address occurs. Failure to provide such notice may result in dismissal of this action. *See* FED.R.CIV.P. 41(b).

IT IS SO ORDERED.

DATED: August 13, 2010.

/s/ David R Herndon
CHIEF JUDGE
UNITED STATES DISTRICT COURT